



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
COLUMBIA ENVIRONMENTAL FIELD OFFICE

1421 HAMPSHIRE PIKE
COLUMBIA, TENNESSEE 38401
PHONE (931) 380-3371 STATEWIDE 1-888-891-8332 FAX (931) 380-3397

October 19, 2011

Mr. Danny and Mrs. Melissa Dunivan
344 Whitaker Road
Shelbyville, TN 37160

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
RECEIPT # 91 7199 9991 7030 6411 1254

RE: Compliance Evaluation Inspection
NPDES Permit No. TN0080594
Shelbyville, Bedford County

Mr. and Mrs. Dunivan:

On October 12, 2011, I conducted a routine inspection of your Concentrated Animal Feeding Operation (CAFO) located at 400 Whitaker Road in Bedford County. I conducted both a visual and record keeping inspection of the site to determine the facility's compliance with the CAFO, NPDES permit number TN0080594.

No deficiencies were noted during the visual inspection of the site. Portions of the site dedicated to animal waste, mortalities, and storm water diversion appeared in good condition and in compliance with the permit. During my inspection of site records, it was determined that record keeping, as required by the permit, was insufficient.

The following deficiencies were noted in record keeping:

1. A rain gauge shall be kept on site and properly maintained. Amounts of rainfall shall be recorded and retained on site for all rainfall events. No records exist of amounts of rainfall for all rainfall events.
2. No records exist of daily visual inspections of all water lines, including drinking and cooling water.
3. No records exist of weekly visual inspections for storm water diversion devices, runoff diversion structures, and devices channeling contaminated storm water to the wastewater and manure storage and containment structures.

4. No records exist of deficiencies found as a result of inspections, corrections of the deficiencies, or explanation of the factors preventing immediate correction of the deficiencies found during daily and weekly inspections.
5. No records exist of mortalities management and practices used to comply with the site-specific nutrient management plan.
6. No records exist of or results from annual litter analysis sampling.
7. For operations that transfer any manure, litter, and process wastewater per year to a third party for disposal the following documentation must be provided to or by the third party and maintained on site:
 - a) Records documenting that the most recent manure nutrient analysis is being provided to the third party.
 - b) Records showing the amount of manure that leaves the permitted operation.
 - c) Recipient's name, date, and address for the transfer of quantities greater than one pick-up truck load and/or approximate amount of manure removed must be recorded and maintained on site on the form given in Appendix B of the permit.
 - d) The third party must sign the Agreement for Removal of Litter, Manure, and/or Process wastewater form given in Appendix A of the permit. The form must be recorded and maintained on site.
8. No annual reports have been submitted or maintained. The annual report must be submitted every calendar year between January 1st and February 15th, and must include the following:
 - a) Number and types of animals on site.
 - b) Estimated amount of manure and/or litter generated by the CAFO in the previous calendar year (tons/gallons).
 - c) Estimated amount of total manure, and/or litter transferred to a third party by the CAFO in the previous calendar year (tons/gallon).
 - d) Total number of acres for land application covered by the comprehensive nutrient management plan.
 - e) Total number of acres under control of the CAFO that were used for land application of manure and/or litter in the previous calendar year.
 - f) A summary of all manure and/or litter discharges to waters of the state from the production area that have occurred in the previous calendar year, including date, time, and approximate volume.
 - g) A statement indicating whether the current version of the CAFO's Nutrient Management Plan was developed or approved by a certified Nutrient Management Planner.

Due to the deficiencies in record keeping noted above, you have violated the terms and conditions of your permit and therefore have violated the *Tennessee Water Quality*

Control Act of 1977 (T.C.A. § 69-3-101 et. seq.), specifically 69-3-108. Accurate record keeping is an essential part of your CAFO permit. The records will help determine if changes should be made to the site, and in some cases may help in explaining why problems at the site may or may not have occurred. You should begin keeping and maintaining the records listed above immediately. All records should be maintained on site for five consecutive years. I wish to express my appreciation to Mrs. Dunivan for her time and assistance in this inspection. If you have questions concerning this matter, please contact me at (931) 490-3943.

Sincerely,

A handwritten signature in black ink, reading "Cody Chapman". The signature is fluid and cursive, with the first name "Cody" written in a larger, more prominent script than the last name "Chapman".

Cody Chapman
Division of Water Pollution Control